

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

ATLANTIC CASUALTY INSURANCE  
COMPANY,

*Plaintiff,*

v.

§ CIVIL ACTION NO. 3:19-CV-01618

TAYLORMADE HEAT & AIR, LLC,  
CHRISTINE GANCARZ, HARRY  
HARRISON, STEVE BOTTUM,  
CLINT RACHAL, GENA RACHAL,  
LARRY WALTON, AMAR ALI,  
MICHAEL BUCHANAN, DEBBIE  
CARSON, JANE EDWARDS, BRIAN  
TOLIVER, PHILLIP ST. GEORGE,  
SALLY YAMINI, RICHIE BOYD,  
RHONDA JONES, M CENTRAL  
RESIDENCES CONDOMINIUM  
ASSOCIATION, INC., M CENTRAL  
MASTER CONDOMINIUM  
ASSOCIATION, INC., AND GREAT  
AMERICAN INSURANCE COMPANY,

*Defendants.*

**DEFENDANTS GREAT AMERICAN INSURANCE COMPANY AND M CENTRAL  
RESIDENCES CONDOMINIUM ASSOCIATION, INC.'S  
MOTION FOR DISMISSAL UNDER  
FEDERAL RULE OF CIVIL PROCEDURE 12(b)(1)**

TO THE HONORABLE COURT:

Pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure, Defendants, Great American Insurance Company and M Central Residences Condominium Association, Inc. (hereafter collectively referred to as "Defendants"), hereby file their Motion to Dismiss Plaintiff's

Complaint Seeking Declaratory Judgment (the “Motion to Dismiss”) and respectfully state as follows:

1. For the reasons set forth in Defendants’ Brief in Support of Defendants’ Motion to Dismiss Plaintiff’s Complaint, Defendants respectfully request that the Court, pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure, grants the Motion to Dismiss and dismisses Plaintiff, Atlantic Casualty Insurance Company’s declaratory judgment action.

Respectfully submitted,

GAUNTT KOEN BINNEY & KIDD LLP

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**CERTIFICATE OF SERVICE**

Pursuant to the Federal Rules of Civil Procedure, a copy of this document was served on Plaintiff's counsel on August 28, 2019.

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ATTORNEYS FOR DEFENDANT,  
TAYLORMADE HEAT & AIR, LLC

/s/ W. Chris Surber

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